

September 25, 2017

VIA ECFHonorable Lorna G. Schofield
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007Re: *Carter Page v. Oath Inc., et al.*, No. 17-cv-06990-LGS
Letter Requesting Additional Time to Respond to Complaint, Briefing
Schedule for Defendant Oath's Motion to Dismiss, and for Increased
Page-Limit for Memoranda of Law

Dear Judge Schofield:

We are counsel for Defendant Oath Inc. ("Oath") in the above-referenced action. We write to inform the Court that Oath intends to file a motion to dismiss the Complaint in the above-referenced action, to request an extension of time to file its motion from its current deadline of October 6, 2017 to November 6, 2017, and to request the below briefing schedule for the impending motion:

Defendant Oath's Moving Brief: November 6, 2017

Plaintiff's Opposition Brief: December 6, 2017

Defendant Oath's Reply Brief: December 22, 2017

Oath requests this extension of time to respond and briefing schedule to give Oath and counsel sufficient time to investigate the facts surrounding Plaintiff's claims and respond accordingly. Plaintiff's Complaint for defamation is 55 single-spaced pages in length, together with exhibits exceeds 400 pages, and relates to numerous news articles and statements written by various individuals, the majority of whom are not employees of Oath, multiplying the number of factual and legal issues. Plaintiff also requests the extension because the Jewish holidays fall during its original period to answer. Oath has not previously requested an extension of time to file a responsive pleading.

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Plaintiff does not consent to Oath's request and provided the following reason for refusing consent:

Dr. Page knows of no basis for this forthcoming motion and is eager to proceed with the case, in the interest of restoring his life following the severe damage created by the Defendants including multiple domestic terror threats that followed as a result of the baseless defamatory articles and the outrageous fabricated allegations included therein which have been entirely disproven over the course of the last year.

Granting this extension of time to respond will have no effect on any outstanding scheduled deadlines.

Additionally, in light of the lengthy and far-reaching allegations of Plaintiff's Complaint and the numerous meritorious grounds Oath intends to raise for dismissal of the Complaint (*e.g.*, truth, opinion, lack of actual malice, fair report privilege, Section 230 of the Communications Decency Act and others), Oath respectfully requests that the Court grant it leave to file a memorandum of law in support of its motion to dismiss of up to 50 pages in length. Oath, of course, consents to Plaintiff also having 50 pages for his opposition. Oath further requests that it have 20 pages for its reply brief, a proportional increase from the standard 25 pages for a moving brief and 10 pages for a reply brief.

Respectfully submitted,

Davis Wright Tremain LLP

A handwritten signature in blue ink, appearing to read "James Rosenfeld", is written over a light blue horizontal line.

James Rosenfeld

cc: Carter Page (via ECF)
Jeremy A. Chase, Esq., Davis Wright Tremain LLP (via ECF)